

DIVISION OF APPRENTICESHIP STANDARDS  
NOTICE OF PROPOSED ACTION TO AMEND  
CALIFORNIA CODE OF REGULATIONS, TITLE 8, CHAPTER 2, PART IV,  
SECTIONS 290.0, 290.1, 291.0, 291.1, 291.2, 291.5,  
292.0, 294.0, 295.0, 296.0, 296.1, 296.2, 296.3, and 296.4.

Prepared by:  
Vanessa L. Holton, Chief Counsel  
Fred Lonsdale, Counsel  
Carol Belcher, Counsel  
Office of the Director - Legal Unit  
455 Golden Gate Avenue, Suite 9516  
San Francisco, CA 94102  
(415) 703-4240

## **TITLE 8. DIVISION OF APPRENTICESHIP STANDARDS NOTICE OF PROPOSED ACTION**

**NOTICE IS HEREBY GIVEN** that the Division of Apprenticeship Standards ("Division"), pursuant to rulemaking authority derived from Labor Code sections 55, 59, and 3099 - 3099.5, in order to implement, interpret and make specific sections 3099 - 3099.5 of the Labor Code, proposes to amend Part IV, Sections 290.0, 290.1, 291.0, 291.1, 291.2, 291.5, 292.0, 294.0, 295.0, 296.0, 296.1, 296.2, 296.3, and 296.4, in Chapter 2 of Title 8 of the California Code of Regulations ("CCR") concerning electrician certification.

**PUBLIC HEARING:** The Division will hold public hearings on Tuesday, February 19, 2008 from 10:00 a.m. to 2:00 p.m. at the Hiram Johnson State Building, Benicia Room A/B, 455 Golden Gate Avenue, San Francisco, California, and on Tuesday, February 26, 2008 from 10:00 a.m. to 2:00 p.m. at the Junipero-Serra State Building, 7<sup>th</sup> Floor Meeting Room, 320 W. Fourth Street, Los Angeles, California. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the Informative Digest. The Division requests but does not require that persons who make oral comments at the hearing also submit a written copy of their testimony at the hearing.

**WRITTEN COMMENT PERIOD:** Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action by mail or personal delivery to Glen Forman, Division of Apprenticeship Standards, 455 Golden Gate Avenue, 10<sup>th</sup> Floor, San Francisco, California 94102. Written comments may also be sent to Glen Forman (1) via electronic mail to [DASComments@dir.ca.gov](mailto:DASComments@dir.ca.gov) or (2) via fax to (415) 703-5227. To be considered, written comments must be received by DAS no later than 5:00 p.m., Tuesday, February 26, 2008.

**CONTACT PERSON:** Nonsubstantive inquiries concerning this action, such as requests for copies of the text of the proposed regulations, and the location of public records, may be directed to Brian Crawford at (415) 703-1467. The backup contact person is Glen Forman at (415) 703-4939. Inquiries regarding the substance of the proposed regulations may be directed to Glen Forman at (415) 703-4939.

### **INFORMATIVE DIGEST / POLICY STATEMENT OVERVIEW**

The Legislature enacted a program for certifying electricians in 1999 beginning with Labor Code section 3099. In two prior rulemakings, the Division adopted regulations to implement and enforce this section. Issues have arisen in the operation of this program, and the Legislature has enacted additional changes since the last rulemaking. The Division is charged with promulgating regulations to implement the program and the most recent set of legislative changes. No comparable federal regulation or statute exists. Please see the Division's Initial Statement of Reasons for further information.

**DISCLOSURES REGARDING THE PROPOSED ACTION:** The Division has made the following initial determinations:

- Significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states: None. Enactments by the Legislature provide for a mandatory system of certification and establishment of an electrician trainee program including a curriculum component. These proposed changes to the regulations do not impose any significant economic impact independent of the statutory and regulatory provisions already in effect.
- Impact on the creation or elimination of jobs or the creation, elimination, or expansion of businesses within the State of California, or effect on small businesses: None. Enactments by the Legislature provide for a mandatory system of certification and establishment of an electrician trainee program including a curriculum component. These proposed changes to the regulations do not impose any significant economic impact independent of the statutory and regulatory provisions already in effect.
- Significant effect on housing costs: None. Enactments by the Legislature provide for a mandatory system of certification and establishment of an electrician trainee program including a curriculum component. These proposed changes to the regulations do not impose any significant economic impact independent of the statutory and regulatory provisions already in effect.
- Cost impacts on representative private person or business: The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. Enactments by the Legislature provide for a mandatory system of certification and establishment of an electrician trainee program including a curriculum component. These proposed changes to the regulations do not impose any significant economic impact independent of the statutory and regulatory provisions already in effect.

**FISCAL IMPACTS:**

- Costs or savings to state agencies or costs / savings in federal funding to the State: None.
- Local Mandate: None.
- Cost to any local agency or school district that is required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of the Government Code: None.
- Other nondiscretionary costs / savings imposed upon local agencies: None.

**CONSIDERATION OF ALTERNATIVES:** In accordance with Govt. Code section 11346.5(a)(13), the Division must determine that no reasonable alternative it considered

or that otherwise has been identified and brought to the attention of the Division would be more effective in carrying out the purpose for which the action is proposed or would be as effective as the proposed action and less burdensome to affected private persons.

The Division invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearings or during the written comment period.

**AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS / INTERNET ACCESS:** An initial statement of reasons and the text ("express terms") of the proposed regulations have been prepared and are available from the contact person named in this notice. The Division will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office located at the above address. Rulemaking records may be accessed through the agency's Internet website at [www.dir.ca.gov](http://www.dir.ca.gov).

**AVAILABILITY OF CHANGED OR MODIFIED TEXT:** After holding the hearing and considering all timely and relevant comments received, the Division may adopt the proposed regulations substantially as described in this notice. If the Division makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Division adopts the regulations as revised. Any such modifications will also be posted on the Division's website.

Please send requests for copies of any modified regulations to the attention of the contact person(s) listed above. The Division will accept written comments on the modified regulations for 15 days after the date on which they are made available.

**AVAILABILITY OF THE FINAL STATEMENT OF REASONS:** Upon its completion, the Final Statement of Reasons will be available and copies may be requested from the contact person named in this notice or may be accessed on the website listed above.